

Senate Engrossed

**FILED**

**JANICE K. BREWER  
SECRETARY OF STATE**

State of Arizona  
Senate  
Forty-seventh Legislature  
Second Regular Session  
2006

CHAPTER 27

# **SENATE BILL 1024**

AN ACT

AMENDING SECTION 28-410, ARIZONA REVISED STATUTES; RELATING TO THE DEPARTMENT  
OF TRANSPORTATION AGREEMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-410, Arizona Revised Statutes, is amended to  
3 read:

4 28-410. Computer software agreements

5 A. The director may enter into agreements on behalf of this state with  
6 private entities for the distribution, licensing, leasing or sale of computer  
7 software developed by the department. The private entities that enter into  
8 an agreement with the department pursuant to this subsection may only  
9 distribute, license, lease or sell the computer software to governmental  
10 agencies located outside of this state and to private entities.

11 B. The department may distribute, license, lease or sell computer  
12 software developed by the department to private entities, other agencies or  
13 political subdivisions of this state and third parties authorized pursuant to  
14 chapter 13 of this title. If the department distributes, licenses, leases or  
15 sells computer software developed by the department to other agencies or  
16 political subdivisions of this state, the department may enter into a site  
17 license contract with the agency or political subdivision of this state.  
18 Other agencies and political subdivisions of this state and authorized third  
19 parties that acquire computer software from the department pursuant to this  
20 subsection shall not distribute, license, lease or sell the computer software  
21 to any other person.

22 C. The department may enter into agreements with other agencies and  
23 political subdivisions in this state for the maintenance and support of  
24 computer software acquired by an agency or political subdivision pursuant to  
25 subsection B of this section.

26 D. THE DIRECTOR MAY ENTER INTO AGREEMENTS WITH AGENCIES OR POLITICAL  
27 SUBDIVISIONS IN OTHER STATES FOR THE SHARING OR EXCHANGE OF COMPUTER SOFTWARE  
28 AND WEB BASED PROGRAMS DEVELOPED BY THE DEPARTMENT IF IT IS DETERMINED TO BE  
29 IN THE BEST INTEREST OF THIS STATE. ENTITIES OUTSIDE OF THE DEPARTMENT THAT  
30 SHARE OR EXCHANGE THE COMPUTER SOFTWARE AND WEB BASED PROGRAMS PURSUANT TO  
31 THIS SUBSECTION SHALL NOT DISTRIBUTE, LICENSE, LEASE OR SELL THE COMPUTER  
32 SOFTWARE OR WEB BASED PROGRAM TO ANY OTHER PERSON OR AGENCY.

33 E. THE DEPARTMENT MAY ENTER INTO AGREEMENTS WITH TRIBES PURSUANT TO  
34 SUBSECTIONS B, C AND D OF THIS SECTION.

35 ~~D.~~ F. The director shall deposit, pursuant to sections 35-146 and  
36 35-147, monies generated pursuant to this section in the state highway fund  
37 established by section 28-6991.

**APPROVED BY THE GOVERNOR MARCH 31, 2006.**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 31, 2006.**